YORK, TUESDAY, DECEMBER 10, 1912. - Copyright, 1912, by the Sur Printing and Publishing Association.

SICKLES ASKED TO **ACCOUNT TO STATE**

\$27,000 of Funds for Monument Work Said to Be Involved.

COMMISSION MEETS

Members Have Nothing to Say About What's Said or Done.

BANK SUES ON MORTGAGE

Commission's Office in General's House, So Members Are

Named in Action.

There has been some talk recently between Gen. Daniel E. Sickles, whose \$27.000.

This news came out yesterday after a meeting of the Monument Commis- in New York. sion in the home of Gen, Sickles, at 23 Fifth avenue, where the commission has had its headquarters for years. FELL DEAD IN LOFT'S Gen. Sickles is chairman of the commission and always has been its guiding spirit, it is said, assisted by Gen. A. J. Zabriskie, its secretary.

The Comptroller wants an account moneys which have been appropriated to the commission by the State. It is understood that the Comptroller has been promised that he will get the

At the same time it became known that Gen. Sickies, his wife and the members of the Monument Commission have been named defendants in a suit brought by the Bowery Savings Bank to foreclose a mortgage of \$118,000 on the Fifth avenue home of Gen. Sickles and the house adjoining it.

There was much mystery about the meeting of the New York Monument Commission, which has an office on the first floor, back of the rooms occupied by Gen. Sickles at 23 Fifth avenue. The commision has been in exxistence about twenty years, and its business has been the erection of monuments on Gettysburg and Chattanooga battleffelds where New York regiments were in action. Each year the Legislature has appropriated certain sums for the commission.

The members present at yesterday's meeting were Gen. Sickles, Col. Lewis R. Stegman, Gen. Anson G. McCook, Col. Clinton Beckwith of Herkimer, Congressman Thomas W. Bradley of Walden, Gen. Horatio C. King and Gen. Zabriskie. Mrs. Sickles was in the house while the meeting was going on and was in the room with the commission part of the time.

about what happened at the meeting. One said it was a public meeting; another said it was an executive session.

anything about the meeting. Gen. Zabriskie at first objected to telling the names of the members at the meeting. Then he said that he wouldn't call the meeting a private one nor would be say it was a public one.

"Talk to Gen. Sickles or Col. Stegman," he said. "They'll tell you. whom does the commission report? To the Governor, I guess, but there hasn't been a report in years. Gen. Sickles's negro attendant said

that the General was asleep at 3:30 At 6:30 the General was still asleep, the attendant said, and even if he were awake he wouldn't talk about Gen. King said the commission held

an executive session and nothing con-cerning its financial affairs was dis-When asked if Gen. Sickles had not been asked to refund money appropriated to the commission Gen

"That has been settled to the satisfaction of the Comptroller, and you must get from him all information on the subject. I decline to say a word

about it." When Gen. Sickles was in Albany last week he talked with Gov. Dix. It learned from a source familiar with the affairs of the commission that Congressman Bradley had gone to the State Comptroller's office and had said that the money would be paid and that it would probably come from Mrs. Sickles. The understanding was that the money was to be paid by December 6, but it is

not got it yet. Col. Stegman, who has been a memher of the commission for seventeen ence of a red light district in the shadow would know of the financial accounts of the commission are Gen. Sickles and

Comptroller Sohmer. "You see," he said. "General Sickles as chairman of our body has complete control and supervision of all funds and of everything that pertains to the financial end. He even pays all the running expenses and none of his associates knows how matters stand. The only thing we have to go by is the book report, the formal financial statement which is rendered every so often according to our rules. If there was a dispute over \$27,000 I would not know a thing about it. Gen. Sickles would

have to account for it.
"All I can say is that during the seventeen years of my connection with the commission the book reports have poor to those houses.

"There are within one block of the White shown a clean financial sheet each time. There has never been a suit against the ho commission in those years, and we have

paid every liability on the minute-"I do recall, however, that in March, the 1905. Stanton Sickles, the General's son. his father had come to him and told him he had spent \$40,000 of the commission's money and that if Stanton or somebody else did not make good the General would be in a bad fix. I don't recall what happened in that case, is been but I think that nothing further ever -Ade.

came of it. Anyway, the General acounted to the State for all the money he received. You couldn't ask any more han that."

of the commission had been mixed up with the General's private bank ac-

In the foreclosure suit the mortgage on the Sickles house is \$88,000 and the rest of the \$118,000 on the adjoining property. The members of the commission are probably named as defendants because they are tenants of Gen Sickles's house.

'MOVIE' POSTERS CAUSE ARREST

Theatre Owner Fined for Displaying Crime Pictures in Street.

Philip Merz, who owns a moving pic ture theatre at 142 East Fourteenth street, was fined \$25 by Magistrate Murphy in the Essex Market Court yesterday for displaying pictures of crime and violance in front of his theatre.

The attention of Patrolman Smith of the Central Office squad was attracted on Sunday afternoon by a gayly colored lithograph advertising a film entitled The Shadow of a Great City." picture showed the villain of melodrama, "Votes for Women Pilgrimage" (official with a curling black moustache and immaculate evening dress, pointing a revolver at a flaxen haired woman hanging by one arm from a bridge,

Patrolman Smith recalled section 27 of the city ordinance, which prohibits financial and domestic troubles have the public display of any picture of a kept him before the public, and the crime, or of any picture which might State Comptroller over a matter of incite the imagination to thoughts of crime. He entered the theatre and arrested the proprietor.

This is the first conviction of its kind

STORE ON PARK ROW

ing to the State Treasury of \$27,000 of Death of Coal Merchant Halts at the town where we spend the night." Large Crowds of Home-

goers.

While buying candy in Loft's at 41 Park ow last night Harry G. Barber, a coal dealer with yards at 357 Water street and living at 291 Clinton avenue, Brooklyn, was stricken with heart disease. He died before the arrival of a physician.

Mr. Barber was standing at the counter where one of the salesgirls, Miss Lowenthal, had just handed him a box of candy He drew some money from his pocket and as he was passing it to her he reeled and fell backward to the floor. The store was crowded with customers and the sight of the well dressed man struggling on the floor came near causing a panic. The manager ordered the curtains rawnd and while those who were in the store were waited on no one was admitted until the body had been taken away

A hurry call was sent to the Volunteer Hospital, but Mr Barber was dead when a dead in Loft's spread rapidly and in a few moments there was a large crowd in front

She wept when she saw what had befallen Miss Elizabeth Freeman, who is now her employer. She was led away by a friend, Miss E. Coyle of 166 Washington treet, Brooklyn.

Mr. Barber was about 45 years old. He wned the business carried on under the name of Alfred Barber's Son, with coal yards in Manhattan and Brooklyn. his home last night it was said that he had had a previous attack of heart disease. March, 1910, Mr. Barker was acquitted of charges made against him by a young girl. Several years ago the city bought from him a plot of land on South Oliver street for \$194,000. It was alleged that he had for merly offered to sell the land to the city for \$100,000 and that when he came before the condemnation commissioners he committed perjury. denied this charge and said that while he did not deny that there was graft in

the deal he got none of it. When Mr. Barber's clothes were ex amined last night at the police station. where the body was taken to await the arrival of relatives, it was found that he carried a considerable quantity of jewelry. His watch, pencil, stickpin, keyring, cuff links and knife, all of gold, were plentifully set with diamonds and other stones

SLUMS CLOSE TO WHITE HOUSE Parity Organizations So Tell Senate Investigators.

WASHINGTON, Dec. 9.—Representatives of the Woman's Christian Temperance Union, the World's Purity League, the International Reform Bureau, the Gospel Mission and other purity organizations almost certain that the Comptroller has gave to-day to the sub-committee of the Senate Committee on District of Columbia Affairs detailed information of the existyears, said that the only persons who of the Capitol. The hearing was on a bill introduced by Senator Kenyon of lowa to wipe out the underworld district of Washington and was attended by half

hundred persons, women predominating Henry M. Pringle, assistant superintendent of the International Reform Bureau described a visit to a hotel which he said was used for improper purposes. "How far is that from the Capitol?"

asked Senator Kenyon. "About five minutes walk," replied Mr

Mrs. H. E. Monroe of the Gospel Mission declared that automobiles were seen fre quently standing in front of the disorderly houses in the vicinity of the missions and that they belong to the rich men's sons, who brought the daughters of the

House," she said, "fourteen disorderly H. W. Kline, superintendent of the Gos

pel Mission, said "I have never seen anything equal to ne row of pest houses south of Pennsylvania avenue and bordering the Botani "How far is that from the Capitol?"

"Not more than three minutes walk, replied Mr. Kline. ANTEDILUVIAN WHISKEY Ause it is worth it. Luytles Bros.

SUFFRAGISTS TO WALK TO ALBANY AND SULZER

Women Trampers Will Ask Him between Lexington and Third avenues to Push Amendment Giving Them Votes.

DAY PILGRIMAGE

Many Will Make the Start and Three Expect to Stick Whole Way.

The suffragists are going to tramp to Albany carrying a message to Gov. Sulzer. He isn't Governor yet, but he will be the day after they get there.

They expect to leave New York, at the subway station, Broadway and 242d street Monday morning, December 16, at a quar-The ter past 9 o'clock. Fifteen days later the title) will enter Albany.

That will be the last day of the year, just in time to catch Mr. Sulzer with a petition that he put into his message a statement favoring the submission of a suffrage amendment to the voters in 1915.

Suffragists who don't feel like taking the whole 150 mile walk will join for as much of a jaunt as they can manage. In fact the pilgrimage is to be a sort of relay the idea originated, expects to be a through pilgrim.

"I think three of us will walk all the way," she said yesterday. "But a good many will walk only one day I leave to-morrow on a three days trip to arrange the schedule. We shall not try to cover more than ten or twelve miles a day and shall hold meetings every evening

The idea was enthusiastically received at the various headquarters yesterday. Some of the women said they couldn' go far, but they would be on hand at the start and would do the first day's stunt. At Yonkers the first day a buffet luncheon will be served the pilgrims at the headquarters of the local suffrage club. The second day Mrs. Anna Ross Weeks will entertain the footsore hikers at luncheon at the country club at Searboro-on-Hudson.

sold to the trampers at the starting point. The knapsacks are the regulation ones used by the boy scouts, but they will be emblazoned with the "Votes for Women" motto. These knapsacks are to contain only literature for distribution, as the trampers intend to forward their suit cases each day from one stopping place to the next. Miss Jones and Miss Ida Craft, who is

to be one of the long distance pilgrims, will wear the white and yellow hats which were the official headgear in the recent torchlight parade. Both say they are doctor came Word that a man had fallen | good walkers and that they expect to have no trouble keeping the pace they have set for themselves. Miss Craft said that shoes will be the most important con-In the store with Mr. Barber when he was sideration and that she is having extra

Local suffragists along the route will meet in the jail there. the advancing contingent and go along for as much of a hike as they are able. will be on hand at the stopping place to help with the meetings.

Each of the seven suffrage societies here in New York will have at least one representative with the pilgrimage when it finally comes tramping into Albany. Others from Albany will go out to meet them and sympathizers from the towns along the route will swell the ranks. The right bank of the Hudson will be followed all the way.

One man said that he wants to go too and the pilgrims have assured him that avenue, says he is just pining to go along. He wants to walk all the way, but he didn't main away from his important duties

CALLS GUN LAW "TERRIBLE." Justice Goff Comments in Cases of

Two Youths. Justice Goff had before him in the carrying concealed weapons. Both tions, pleaded guilty and Justice Goff asked Mrs

and report. Levy replied that one prisoner was Joseph Galvin, 16 years old, of deal of money before she dropped out, to Dorchester, Mass., who said he had reappear again as Esther Harris, housestolen his father's revolver. The other Tony Muzzicatto, 24, a bartender, of 132 strong. East 110th street, said he had a weapon

because he was obliged to pass through dangerous neighborhood. "This is another illustration of the terrible piece of legislation called the Sullivan law," said Justice Goff. "It is

law that works injury to the honest citizen and affords no protection to the citizen against the crook. The Justice remanded the prisoners for sentence Friday and directed a pro-

BURLAP BAG THIEF'S WARDROBE Police Provide "Clothing" After Re

PHILADELPHIA, Dec. 9.-Frank Rice started to-day, clad only in a burlap bag. a six months vacation trip to the work-When Rice was arraigned before Magistrate MacFarland he was attired in a stylish suit which later was identified praying. He has no church but he re by Levi Scotield, a Paterson, N. J., resident. He also identified Rice as the

resident. He also identified Rice as the man who last night led him to a local saloon where he could obtain "cheap drinks." After imbibing a few drinks Scofield said he was disrobed.

Magistrate MacFarland ordered that Rice be taken to a retiring room and that the clothes he was wearing he given to Scofield. A policeman supplied the burlap bag in which Rice was attired when he was sentenced and in which he made the trip to the workhouse.

FIRE DRIVER SPARES BUGGY. But Engine's Tender Close Behind It Rams Elevated Pillar.

street and First avenue early yesterday evening took Engine 8 and tender on the jump from the station on Fifty-first street, As Driver George Brannigan of the en-

gine started to turn down First avenue he saw a white horse and buggy going south on that avenue. He pulled his horses back as hard as he could and turned them up on First avenue.

The engine frightened the horse on the buggy and he shot down First avenue, dragging the buggy, containing A. Zieger of 343 East Forty-fifth street, and a woman

Down the street a few blocks Joe Dono

van. Jr., son of Capt. Donovan of Engine

8. stopped the runaway. Meanwhile the

engine swung around to the curb without overturning, but close behind the engine was the tender, driven by Alexander Burgart. Burgart swung his horses by pillar. The pole of the tender snapped short and the tender itself was jammed against

the pillar. Burgart was hurt by the impact, but clung to his horses. The five firemen on the tender were thrown to the street but were unburt. **WOMAN ACCUSED OF MANY**

ROBBERIES BREAKS JAIL Spring in Riverhead, L. I.,

Prison.

A woman who has been confined in the new \$250,000 county jail at Riverhead, L. 1., since last spring awaiting trial on an indictment for robbing Miss Helen Lowell, an actress in "The Red Petticoat" company now playing in Daly's Theatre, escaped either Sunday

or yesterday. Her disappearance has recalled to the minds of many persons in this city, Mt. Vernon, N. Y., Asbury Park, N. J., and Chicago a Mrs. Esther Harris, who also was known as Mrs. Elizabeth Wells, and who represented herself as an agent for the Authors Club of Chicago, in which guise she is said to have secured subscriptions from wealthy women for starting suffrage papers in the various cities where she operated. Mrs. Julia Baker, A wealthy and aged woman of Mt. Vernon, and Mrs. Laura L. Boughton, also elderly and well to do of Asbury Park, were sorry to hear that

Esther Harris had walked out of jail. Mrs. Boughton says the woman secured \$1,700 from her on false pre-Mrs. tenses and Mrs. Baker is said to have lost some jewelry and money in the same way. The trial of the Harris woman was set for Thursday of this

Miss Lowell and Mrs. Daisy G. Armstrong of this city have a farm together East Northport, L. I. In the fall of 1911 they advertised for a house-keeper and Esther Harris got the job. She was a gem for a month and then one day she disappeared, taking with ducted. stricken was his stenographer, Miss Margaret Hart of 270 Dean street, Brooklyn.

heavy soles affixed to a walking pair so
fur coat, four diamond rings and
clothes worth \$1,500. In May of this \$2,251,321, instead of \$2,146,321, which the thrilling feat which gave him fame. year Mrs. Armstrong met her on Broadon a speaking tour up the State, will way and caused her arrest. She was

Her escape was made with a key that fitted all the locks, and she left in an Some of the weaker sisters will fall back automobile, taking with her all her on the railway trains at intervals, but clothes and the typewriter she had in will be on hand at the stopping place to her cell. Raiph C. Green. District Attorney of Suffolk, is investigating the escape and may bring charges against Sheriff Melville C. Brush. Mrs. Harris had many privileges in the jail, where she had gained the confidence of all. She was 45 years old and was very well educated, her business being that

of a writer After Mrs. Armstrong and Miss Lowell had caused Mrs. Harris's arrest they found she had been stopping in an expensive suite at the Woodward Hotel, Broadway and Fifty-fifth street. he will be welcome. The boy of all work In her trunks was found some of the the State headquarters, 180 Madison property taken from the actress together with fifteen pieces of jewelry which belonged to Mrs. Baker, with know vesterday whether he could re- whom she had lived in Mt. Vernon as a housekeeper.

Further investigation showed that Mrs. Harris went to Mrs. Clark's boarding house at 601 Asbury Avenue, Asbury Park, on March 1 of this year, and gave her name as Mrs. Elizabeth Wells of California. She said she was a writer and represented the Chicago Authors Club and also the Chicago Tribune. She got subscriptions for Criminal Branch of the Supreme Court starting a suffragette paper, but dis yesterday two young men charged with appeared one day with all the collec-

Mrs. Harris-Wells's next appearance Lawyer Abe Lewy to question the boys was in New York. Here she interested many local suffrage leaders in her story and is said to have secured a good keeper for Miss Lowell and Mrs. Arm

LEGS MEASURED IN COURT. Man Who Makes Living by Praying Sues Subway.

A man who says he is at the head of a new religion had his legs measured in the Supreme Court yesterday. The man is F. William Winter of 2116 Bryant avenue The Bronx, who is suing the Interborough for \$10,000 damages for injuries he says he received in a collision in the subway in 1909. The railroad didn't know Winter had been injured until he brought suit. but he explained that he didn't leave his name because he didn't know he was When he got home he had to hire hurt. an Italian to carry him upstairs, he said. Winter declares that he has made \$250 a year from practising medicine, but his chief income has been \$2,500 a year from

closing money. Testimony as to whether the clergy man's leg has grown shorter since the accident resulted in an order from the court to have both legs measured in the jury room. The lawyers reported that both were of the same length. The case was

ceives letters asking for prayers and en-

The Long Sing Ti Chinese Curle Co.
Extraordinary display of fine Chinese lade, anuque rugs, at our showrooms, 288 Fifth Ave.—Adv.

CALLS PULITZER ESTATE **GROSSLY UNDERVALUED** An alarm of fire from Forty-fourth

Surrogate Estimates Newspapers at \$19,000,000 Instead of \$4,139,172.

APPRAISAL IS REJECTED

Cohalan Calls for Evidence to Safeguard the State's Interest.

Surrogate John P. Cohalan refused resterday to approve the report of Transfer Tax Appraiser Joseph I. Berry on the estate of Joseph Pulitzer, on the the engine and crashed into an elevated ground that the estate was "grossly undervalued." The Surrogate also said:

> "It would seem that an effort might at least be made by the attorney for the State Comptroller to provide evidence sufficient to sustain a finding that would remove the suggestion that the interests of the State of New York have not been properly protected in a matter of such street, and then by the firemen's ladders, importance as the appraisal of the estate under consideration."

Appraiser Berry estmated the value of the estate at \$18,525,116. He estimated Mr. Pulitzer's interest in the Press Pubaffair. But Miss Rosalie Jones, with whom Had Been Awaiting Trial Since lishing Company, owner of the New York World and Evening World, at \$3,018,455 and his interest in the Pulitzer Publishing Company of St. Louis, publishing the Post-Dispatch, at \$1,115,717.

Surrogate Cohalan declares in his opinion rejecting the report that the valuation of Mr. Pulitzer's interest in his newspapers and the three shares held by the publishing companies in the Associated Press have been undervalued to the extent possibly of many millions of dollars.

The Surrogate figured that on a 5 per cent, basis of earning power the holdings of the Pulitzer estate in the Press Publish ing Company should appraise upware of \$11,000,000, instead of \$3,016.455, while the holdings of the estate in the Pulitzer Publishing Company on the same basis of earning power should be upward of \$8,000,000, instead of \$1,115,717. This would make the estate's interest in the three newspapers over \$19,000,000, instead of \$4.139.172.

Surrogate Cohalan said that the affidavit of N. H. Botsford, auditor of the Press Publishing Company, in the appraisal proceeding put the net profits for the company for the four years ending 1911 at \$2,251,321. From this net total there was deducted \$105,000, alleged to FEAT THAT WON FAME KILLS HIM have been paid as bonuses to employee of the newspapers. The Surrogate said it was not shown whether the were gifts or contractual obligations The Surrogate said that assuming the bonuses to have been voluntary contributions to the employees, "in my opinion they have been erroneously de-

her, it is charged, \$110 in cash, a \$300 | Accordingly, the Surrogate says, the would make the average net profit for each of the four years preceding the death he served as base for a broken pyramid as reported by Appraiser Berry.

The affidavit of James T. Keller, auditor and treasurer of the Pulitzer Publishing Company, estimated the total net profits the head in this performance caused for four years at \$1,633,837, or an average

The shares in the Associated Press held by each newspaper were appraised at their had a worldwide reputation as a tumbler. face value of \$1,000 a share, but the Surrogate points out that the only testimony as to their value was given by Melville I Stone, general manager of the Associated Press. The Surrogate believes that newspaper's membership in the Associate Press is worth more than \$1,000.

In his opinion the Surrogate estimates that the indicated return on the holdings of the estate of Joseph Pulitzer in the Press Publishing Company for the four years prior to his death was almost 19 per cent. on \$3,016,455, the appraised value of the stock, and 37 per cent, on the stock in the Post-Dispatch, appraised at \$1,115,717.

Mr. Stone the Surrogate said: "It is contended on behalf of the estate that the personality of Joseph Pulitzer was in great measure responsible for the earning capacity of these two newspapers and that his death greatly reduced their earning capacity. If this contention is made in good faith it would be very easy for the estate to show the earnings of these two papers for the year since the decedent's death, but no testimony of that kind was offered."

LITTLE GIRL WINS A PEERAGE

Twelve-year-old Mary Petre Estab lishes Claim to Barony.

Special Cable Despetch to THE SUN. LONDON, Dec. 9 .- A girl of 12 of age has won a peerage claim before the Committee of Privileges of the House of Lords. She is Mary Frances Kathe rine Petre, daughter of Baroness Petre the widow of the fourteenth Baron. Her mother made the petition in behalf of her daughter, claiming the Barony of Furnivall and submitting the pedigree which started in 1283, when the first

ord of Furnivall sat in Parliament. For the Crown the Attorney-General argued that no Lord of Furnivall sat n Parliament until a century later. The House of Lords committee, after examining the evidence, decided that a lord sat in 1295 and reported accordingly to

HE REDUCED 57 POUNDS.

Astonishingly Successful

Johnstown, Pa. Investigation has fully estab educed his weight fifty-seven pounds in an in-redibly short time by wearing a simple, invisible device, weighing less than an ounce. This, when worn as directed, acts as an infallible flesh re-ducer, dispensing entirely with dieting, medicines, and exercises. Many prominent men and women have adopted this easy means of reducing super-

POPE'S BROTHER GETS RAISE.

Postmaster Doubled, Now 81 a Day.

Village of Corazio, called at the Parliamen buildings to-day to ask Deputy di Bagno to recommend him to the Minister of British Foreign Minister In-Posts and Telegraphs for an increase in salary.

The Pontiff's brother is 76 years old and earns a half dollar daily He is compelled to walk ten miles every day in order to carry the mails of his village to the Mantua station.

Later in the day the Minister cordially received Sarto and after talking with him for awhile willingly doubled his pay, and, what is more, appointed a postman to help

8 TRAPPED BY BROADWAY FIRE. Employees Find Exit After Hour Search in Smoke.

A fire that did \$50,000 damage last night in the basement and subcellar of the tenstory building at 627-629 Broadway, be ween Houston and Bleecker streets. badly scared four girls and four men who were working on the top floor. They finally managed to get out by a fire es cape at the rear of the structure on Mercer but not until they had wandered pani stricken in the amoke filled halls for

early an hour. William Wiesel, foreman for the Commercial Shirt Company on the tenth floor, three men who work for him, together with Bertha Stein, Frieda Schneider and Sarah and Helen Crow, were the persons trapped by the fire who finally escaped.

WONG'S PHILOSOPHY WON SUIT. "I Always Ask People to Lend Me,,

Not Pay Me," Tells Court. A bit of Chinese philosophy crept into a Justice Hubbs, sitting in New York county by assignment, in which Ben O. Wong owners of the Chinese Weekly Herald for soliciting advertising for six years. Wong estified that in addition to getting adverengravings, rubber stamps, insurance and ice cakes. He had his books to show that his expenses, including hotel bills and railroad fares, were \$19 for the six years.

Wong testified that during this period he borrowed some money from the defendants, and when asked why he didn't collect what was due him instead of borrowing, he said

"I always ask people to loan me, not pay me, because it's more nice Wong won his case.

Walter Porter, Acrobat, Dies From Shocks to Head. BRIDGEPORT, Conn., Dec. 9.--Walter Porter, acrobat, founder of the Melross Troupe and originator of the spectacular somersaulting over elephants which was Bailey Circus, died here to-day from the

his acrobatic performal ke one of displaced himself, allowing the upper man to drop upon Porter's shoulders. The shocks which Porter received about nervous paralysis, which ended in death. Porter, who was 41 years old, had been with Barnum's since he was a child and

MADE COAL CAR A JUGGERNAUT.

Rail Before Wheel.

MIDDLETOWN, N. Y., Dec. 9 .-- Clarkson Vicholas, 32 years old, a patient as the Middletown State Hospital, committed suicide in an extraordinary manner in the grounds of the institution this other patients in charge of attendants. When near a spot running from the main line of the Erie Railroad into the hospital grounds, Nicholas lagged be-

A locomotive was backing down a car and Nicholas ran to the track and rail in front of the car. One wheel passed over him, killing him instantly. Nicholas was committed from Jeffer-sonville, N. Y., several weeks ago. His flancee dropped dead while sitting beside him on a sofa and this unbalanced

OLYMPIC TO HAVE OIL FUEL.

Tests Wil! Be Made, Carrying Fluid Between Liner's Shells.

Special Cable Desputch to THE SUN BELFAST, Dec. 9 .-- It has been decided utilize a portion of the three-foot space between the outer and inner shells of the reconstructed White Star steamer Olympic for storing oil to be used experimentally as fuel in one boiler.

If the experiment is successful the space between the shells of the hull of the steamship Britannic, now building, be used for the same purpose.

HEART ON HIS RIGHT SIDE. utopsy Shows Manning Had Two

Lobes in Each Lung Also.

An autopsy performed yesterday upon the body of Michael Manning, a laborer 32 years old, who died of pneumonia in Bellevue Hospital, disclosed what Dr. Cyrus W. Field of the hospital's pathological department said was an unusually using the canal will be forced to bear complete case of situstransversus. The heart was on the right side instead of on the left, the spleen was also on the right side, the appendix was on the left side, the great stomach was out of place and the lungs had two lobes each.

Out 100 decience professors and seadied to the cost of cost of the cost of th Over 100 doctors, professors and medical tudents were present at the autopsy. So far as the doctors could judge . Manning had suffered no inconvenience through the transposition of his organs.

ROME, Dec. 9.—The Pope's brother. Angelo Sarto, who is postmaster of the

PRICE TWO CENTS.

sists that President Taft Is Wrong.

MAY BE THIRD PROTEST

Railroad Ownership Must Not Bar Canadian or British Ships.

TOLLS UNFAIR BURDEN

Exemption of American Vessels Makes Foreigners Pay Whole Cost of Upkeep.

GOES TO KNOX AT NIGHT

Document Was Sent to the British Parliament Yesterday Afternoon.

Washington, Dec. 9. - Formal demand upon the Government of the United States either to repeal the act of Congress granting free passage through the Panama Canal to American ships engaged in coastwide trade, or to submit the matter to arbitration, was made to-night by James Bryce, Ambassador of Great Britain, suit yesterday before Supreme Court in a lengthy statement presented to Secretary of State Knox.

The statement, which bears the signeture of Sir Edward Grey, British Minister of Foreign Affairs, is an amplification of the original note of protest presented isements during this period he sold coa l. by A. Mitchell Innes, British Charge d'Affaires, on July 8. It endeavors to establish by argument the soundness of the British contention that the legislation favoring American ships is in violation of the treaty rights of GreatBritain with

regard to the Panama Canal.

The note further gives warning that another protest will be forthcoming from Great Britain if it is held by the Government of the United States that British or Canadian vessels are included in the disbarment from the use of the canal of ships in which any railroad under the jurisdiction of the Interstate Commerce Commission has an interest and ships whose owner may be ad judged guilty of violating the Sherman

anti-trust law. The note states that the British Govern ment now assumes that these two clauses do not apply to or affect British ships.

In regard to arbitration it is stated that the British Government has taken featured for years in the Barnum and cognizance of the fact that many persons of note in the United States "whose opinions are entitled to great weight" hold that the act of Congress in question does not infringe the treaty obligations of the United States, and therefore it is join the pilgrimage the second week. later indicted in Suffolk county and put of Mr. Pulitzer \$562,830, instead of \$536,580 three men high in which the middle man decored the British Government is perfectly willing to submit the question to arbitration if the United States prefers.

This significant sentence is added, how-A reference to arbitration would be rendered unnecessary if the Government of the United States should be prepared to take such steps as would rem objections to the act which his Majesty's

Government have stated." Though neither the President nor Secretary of State Knox has ever made any declaration as to whether the United States would be willing to submit the controversy with Great Britain over canal tolls to arbitration, it has been generally assumed that this Government would refuse to arbitrate the dispute. This statement has been freely made in the Senate, and some have even gone so far as to predict that the Senate would refuse to extend the treaty of arbitration with Great Britain which expires next May in order to avoid the obligation of ar bitrating the canal matter.

Sir Edward Grey in the note presented to Mr. Knox, hastens to deny that the British Government is attempting to deny the right of the United States to grant subsidies to its shipping and thus deprive it of the rights enjoyed by other nations which will send subsidized vessels through the Panama Canal. It is declared that in advancing this argument President Taft in his memorandum of August 27 evidently misunderstood the meaning of Mr. Innes's first note of protest. It is carefully stated, however, that the British Government does not concede the right of the United States to favor by subsidy a special class of American shipping in such a way as to place such shipping at an advantage in the use of the canal a

compared with British shipping. The British argument rests chiefly on two points. The first is that in interpreting the Hay-Pauncefote treaty of 1901, the Clayton-Bulwer treaty of 1850. which it superseded, must be considered with it. The two treaties considered together, it is stated, make it clear that the British Government retained for itself the guarantee of equal treatment of its vessels using the canal as compet sation for giving back to the United States in the Hay-Pauncefote treaty the right to construct the canal inde pendently-a right which the United States surrendered in the Clayton-Bulwer

treaty. The second main point of the argument is that if any American ships are granted the free use of the canal, British ships more than a proper share of the burden of the cost of the upkeep of the canal treaty, which declares that all charges made by the United States for the use of the canal shall be just and equitable. Discussing the first of these points the

British note says: So long as the Clayton-Bulwer treaty was in force, the position was that both parties to it had given up their power of